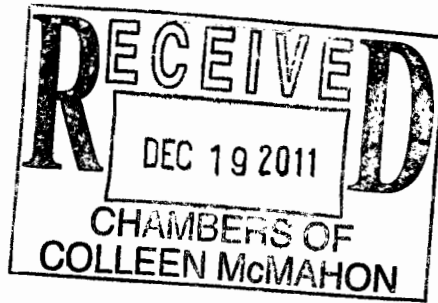


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MEMO ENDORSED

December 19, 2011

VIA FACSIMILE TO (212) 805-6326

The Honorable Colleen McMahon
United States District Judge
United States District Court for the Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Thomas Oakley *et al.* v. Verizon Communications Inc., *et al.*
09 Civ. 9175 (CM-MHD)

I will No longer consider it -

Colleen McMahon
12/20/11

Dear Judge McMahon:

As Your Honor knows, this firm represents Defendants in the above referenced action. We are writing in response to Plaintiffs' letter dated today regarding Defendants' sur-reply. We apologize to the Court for the delay in submitting this pleading, which has been necessitated solely due to scheduling around several unexpected absences. We will be filing the sur-reply by the conclusion of this week, no later than December 23, 2011. Consistent with your Order dated November 9, 2011, we respectfully request that the Court considers the sur-reply in rendering its decision on Plaintiffs' motion for class certification.

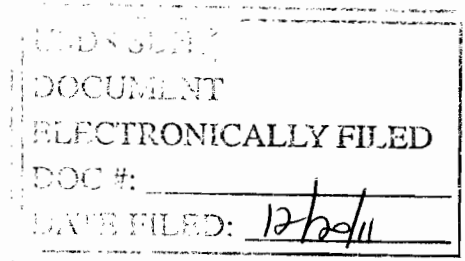
Thank you for Your Honor's continued consideration and attention to this matter.

Respectfully submitted,

SEYFARTH SHAW LLP

By /s/ Lorie E. Almon
Lorie E. Almon

cc: Daniel Clifton (via email)
Louie Nikolaidis (via email)
Mary K. O'Melveny (via email)
Gabrielle Semel (via email)
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